

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ryoichi Hashida, Shinji Kagaya, Yuji Sugita and Hirohisa Saito

Application No.: 10/611,310

Group Art Unit: 1645

Filed: July 1, 2003

Examiner: Not Assigned

Confirmation No.: 3981

Title: METHODS FOR EXAMINATION FOR ALLERGIC DISEASES, AND DRUGS
FOR TREATING ALLERGIC DISEASES

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
6-16-04	<i>Dawn M Myers</i>
Date	Signature
<i>Dawn M Myers</i>	
Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references (AL, AN, AP, AL2, AR and AS) are enclosed (AM corresponds to AL, AO corresponds to AN, and AQ corresponds to AP).
 - ☒ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
 - ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

[X] Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. 10/608,863, by Ryoichi Hashida, Shinji Kagaya, Yoshihiro Yayoi, Yuji Sugita and Hirohisa Saito, filed June 27, 2003, Docket No.: 3462.1003-000.

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

[X] A copy of each above-cited application, including the current claims, is enclosed.

[] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

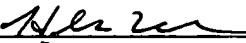
[] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

[] Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

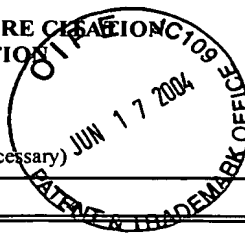
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Helen Lee
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Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: June 16, 2004

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 3462.1004-000	APPLICATION NO. 10/611,310	
INFORMATION DISCLOSURE CHECKLIST IN AN APPLICATION June 14, 2004 (Use several sheets if necessary)		FIRST NAMED INVENTOR Ryoichi Hashida		FILING DATE July 1, 2003
		EXAMINER Not Assigned	CONFIRMATION NO. 3981	GROUP 1645



U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	US 2002/0049151 A1	04/25/2002	Murphy, <i>et al.</i>
	AB	US 6312949 B1	11/06/2001	Sakurada, <i>et al.</i>
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EXAMINER	DATE CONSIDERED
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PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION June 14, 2004 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3462.1004-000	APPLICATION NO. 10/611,310	
	FIRST NAMED INVENTOR Ryoichi Hashida		FILING DATE July 1, 2003
	EXAMINER Not Assigned	CONFIRMATION NO. 3981	GROUP 1645

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AL	WO 01/87923 A1 ✓	11/22/2001	Baylor College of Medicine		
	AM	EP 1287019 A1	11/22/2001	Baylor College of Medicine		
	AN	WO 01/70254 A1 ✓	09/27/2001	Smith Kline Beecham PLC		
	AO	EP 1265628 A1	09/27/2001	Smith Kline Beecham PLC		
	AP	WO 00/77202 A1 ✓	12/21/2000	Smith Kline Beecham PLC		
	AQ	EP 1185647 A1	12/21/2000	Smith Kline Beecham PLC		
	AL2	WO 00/58451 A1 ✓	10/05/2000	The Salk Institute for Biological Studies		
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PTO-1449 REPRODUCED INFORMATION DISCLOSURE CITATION IN AN APPLICATION June 14, 2004 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3462.1004-000		APPLICATION NO. 10/611,310	
	FIRST NAMED INVENTOR Ryoichi Hashida		FILING DATE July 1, 2003	
	EXAMINER Not Assigned		CONFIRMATION NO. 3981	GROUP 1645

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	AR	Kim, S.O., <i>et al.</i> , "Orphan Nuclear Receptor Nur77 Is Involved in Caspase-independent Macrophage Cell Death," <i>J. Exp. Med.</i> , 197(11):1441-1452 (2003).
	AS	Wang, Z., <i>et al.</i> , "Structure and function of Nurr1 identifies a class of ligand-independent nuclear receptors," <i>Nature</i> , 423:555-560 (2003).
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